

Appl. No. 10/687,381
Atty. Docket No. 9388
Amdt. dated October 31, 2005
Reply to Office Action of September 22, 2005
Customer No. 27752

REMARKS

Claim Status

Claims 1, 7-10, 15, and 17-18 have been amended to define the claimed invention with greater specificity.

Claims 1, 10, 15, 17 and 18 have been amended to emphasize that the homo-crosslinking monomeric unit comprises a hydroxyl moiety. Support for these amendments is found in the Specification and Claims as originally filed.

Claims 7-9 have been amended to be consistent with Claims 1, 2 and 6 (in the case of Claim 7). Support for these amendments is found in the Specification and Claims as originally filed.

New Claims 19 and 20 have been added. Support for new Claims 19 and 20 is found in the Specification, specifically at page 8, lines 25-28.

The Specification has been amended. Support of the amendment is found in Claim 2.

Claims 1-20 are pending in the present application. An additional claims fee is believed to be due.

Claim Objections

Claim 7 is objected to by the Examiner as being of improper dependent form for failing to further limit the subject matter of a previous claim.

Applicants respectfully submit that Claim 7, as amended, is now in proper dependent form. Accordingly, Applicants respectfully request the withdrawal of this claim objection.

Rejection Under 35 USC §112, Second Paragraph

Claims 7-9 are rejected by the Examiner under 35 USC §112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

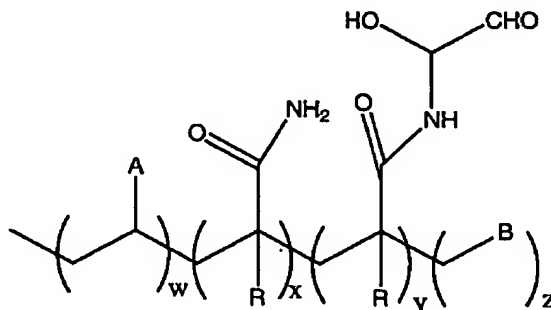
Applicants respectfully submit that Claims 7-9, as amended, are not indefinite. Accordingly, Applicants respectfully request the withdrawal of this rejection.

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Rejection Under 35 USC §102(b) Over U.S. Patent No. 4,603,176

Claims 1-4, 6, 8, 10-13, and 15-18 are rejected by the Examiner under 35 USC §102(b) as allegedly being anticipated by U.S. Patent No. 4,603,176 to Bjorkquist et al. ("the '176 Patent"). The Examiner asserts that the '176 Patent discloses a wet strength resin with the following structure:



wherein A is a polar, non-nucleophilic unit; B is a hydrophilic, cationic unit; each R is H, C₁-C₄ alkyl or halogen; and w, x, y and z represent the mole percents of their respective monomeric units. The Examiner asserts that the single monomeric unit y corresponds to both the co-crosslinking monomeric unit and the homo-crosslinking monomeric unit.

Applicants respectfully submit that the '176 Patent does not teach a temporary wet strength resin comprising a polymer backbone comprising a co-crosslinking monomeric unit that is separate from a homo-crosslinking monomeric unit comprising a hydroxyl moiety, in combination with a cationic monomeric unit as claimed in Claims 1, 10, 15, 17 and 18, as amended. Accordingly, Applicants submit that Claims 1, 10, 15, 17 and 18, as amended, are not anticipated by the '176 Patent. Further, Applicants submit that Claims 2-4, 6, 8, as amended, 11-12, and 16, which ultimately depend from one of Claims 1 and 10, as amended, are not anticipated by the '176 Patent.

Rejection Under 35 USC §103(a) Over U.S. Patent No. 4,603,176

in view of U.S. Patent No. 4,981,557

Claims 5 and 9 are rejected by the Examiner under 35 USC §103(a) as allegedly defining obvious subject matter over the '176 Patent, described above, in view of U.S. Patent No. 4,981,557 to Bjorkquist ("the '557 Patent"). The Examiner recognizes that the '176 Patent fails to teach a monomer unit with only an aldehyde functionality. The Examiner asserts that the '557 Patent discloses a temporary wet strength resin made from

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a monomer containing only an aldehyde functionality and no hydroxyl functionality. The Examiner concludes that it would have been obvious to one of skill in the art at the time of the invention to incorporate a monomer having only an aldehyde functionality, as described in the '557 Patent, into the resin taught by the '176 Patent.

Applicants respectfully disagree with the Examiner's conclusion because even if the monomer from the '557 Patent is combined with the teachings of the '176 Patent, Applicants submit that the combined teachings fail to teach each and every element of Claim 1, as amended, from which Claims 5 and 9 ultimately depend, because the combined teachings fail to teach a temporary wet strength resin comprising a polymer backbone comprising a co-crosslinking monomeric unit, a homo-crosslinking monomeric unit comprising a hydroxyl moiety, and a cationic monomeric unit. Therefore, Applicants respectfully submit that Claims 5 and 9, as amended, are not rendered obvious over the combined teachings of the '176 Patent and the '557 Patent. MPEP 2143.03.

Rejection Under 35 USC §103(a) Over U.S. Patent No. 4,603,176
in view of U.S. Patent No. 5,039,764

Claim 14 is rejected under 35 USC §103(a) as being unpatentable over the '176 Patent described above in view of U.S. Patent No. 5,039,764 to Steinwand ("Steinwand"). The Examiner recognizes that the '176 Patent does not teach a surgical gown. The Examiner attempts to combine the teachings of Steinwand with the teachings of the '176 Patent to render Claim 14 obvious.

Applicants respectfully submit that Claim 14, which depends from Claim 10, as amended, is not rendered obvious over the combined teachings of the '176 Patent and Steinwand for the same reasons that Claim 10, as amended, is not anticipated by the '176 Patent, as discussed above. MPEP 2143.03.

Rejection Under 35 USC §103(a) Over U.S. Patent No. 4,603,176
in view of U.S. Patent No. 3,317,370

Claim 7 is rejected by the Examiner under 35 USC §103(a) as allegedly defining obvious subject matter over the '176 Patent described above in view of U.S. Patent No. 3,317,370 to Kekish et al. ("Kekish"). The Examiner recognizes that the '176 Patent does not teach a separate aldehyde containing and hydroxyl containing sidegroups. The Examiner attempts to remedy this deficiency by combining the teachings of the '176 Patent with the teachings of Kekish to render Claim 7 obvious.

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Applicants respectfully submit that the combined teachings of the '176 Patent and Kekish fail to teach a temporary wet strength resin comprising a polymer backbone comprising a co-crosslinking monomeric unit, a homo-crosslinking monomeric unit comprising a hydroxyl moiety and a cationic monomeric unit. Further, Applicants submit that Claim 7, which ultimately depends from Claim 1, as amended, is not rendered obvious over the combined teachings of the '176 Patent and Kekish for the same reasons that Claim 1, as amended, is not anticipated by the '176 Patent.

New Claims

Applicants respectfully submit that new Claims 19 and 20 are not anticipated by nor rendered obvious over any of the cited prior art references because the prior art references, alone or in combination, fail to teach a temporary wet strength resin comprising a polymer backbone comprising a co-crosslinking monomeric unit, a homo-crosslinking monomeric unit capable of forming an unstable, covalent bond with an electrophilic moiety, and a cationic monomeric unit. Applicants respectfully submit that the monomeric unit comprising the free amide in the '176 Patent is not capable of forming an unstable, covalent bond with an electrophilic moiety.

Conclusion

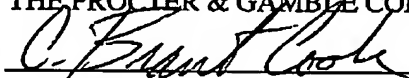
In light of the above remarks, it is requested that the Examiner reconsider and withdraw the rejections under 35 USC §112, §102(b) and §103(a). Early and favorable action in the case is respectfully requested.

This response represents an earnest effort to place the application in proper form and to distinguish the invention as now claimed from the applied references. In view of the foregoing, reconsideration of this application, entry of the amendments presented herein, and allowance of Claims 1-20 is respectfully requested.

Respectfully submitted,

THE PROCTER & GAMBLE COMPANY

By


Signature

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